

HALL COUNTY BOARD OF SUPERVISORS MEETING JUNE 27, 2006

The Hall County Board of Supervisors met June 27, 2006, by published call in the county board meeting room, 121 South Pine, Grand Island.

CALL TO ORDER - The meeting was called to order by Chairman James Eriksen.

INVOCATION - Invocation was given.

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was given in unison.

ROLL CALL - Present on roll call were, Scott Arnold Jim Eriksen, Richard Hartman, Bob Humiston, Bud Jeffries, Pamela Lancaster and Robert Rye. Also present was a representative from the *Grand Island Independent* and Deputy County Attorney Michelle Oldham.

CONSENT AGENDA – Lancaster made a motion and Jeffries seconded to approve the following by consent agenda:

1. Accept and place on file the minutes of the June 13 meeting
2. Approve the request for proposals for the pharmacy service and set the bid opening for July 25, 2006 at 9:45 a.m. with the bids due by 5:00 p.m. On July 24, 2006
3. 5a Approve the claim for Gary Smith Construction
4. Place on file the Hall County Treasurer's Miscellaneous Receipts
5. Place on file communications as received

Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

OPEN MEETING LAW NOTICE – Chairman Eriksen announced that the open meeting law information is located on the table and the poster is on the door.

7 DISCUSSION AND ACTION IN REGARD TO POSSIBLE CIVIL CASE INVOLVING COMPUTER BILLING BY ABACUS BUSINESS SYSTEM, INC EXECUTIVE SESSION
Jeffries made a motion and Rye seconded to go into executive session regarding the civil case. Arnold, Eriksen, Hartman Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried. Attorney Michael Johnson was also present.

9:20 a.m. Executive session regarding the civil case.

9:42 a.m. Arnold made a motion and Jeffries seconded to go out of executive session. Arnold, Eriksen, Hartman Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Arnold made a motion and Jeffries seconded to approve Resolution #06-0047 to reconsider the action of the claims of Abacus Business System Inc. as listed. Arnold, Eriksen, Humiston, Jeffries, Rye and Lancaster all voted yes and Hartman voted no. Motion carried.

The resolution provide that this will be addressed at the July 25, board meeting. Mr. Johnson stated that notice of this hearing will be given by the Hall County Clerk in the form of the attachment to this resolution.

6. UNION NEGOTIATIONS EXECUTIE SESSION – Jeffries made a motion and Lancaster seconded to go into executive session. Arnold, Eriksen, Hartman Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

9:45 a.m. executive session for union negotiations

10:07 a.m. Lancaster made a motion and Humiston seconded to go out of executive session. Arnold, Eriksen, Hartman Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

9 10:00 A.M. BID OPENING JANITORIAL SERVICES – The following bids were read:

BIDDER	TOTAL BID
G&D Janitorial St. Paul, NE	\$177,384.00 for a 24 month contract for all five buildings
Hainkes Janitorial Service Grand Island, NE	\$51,600.00 for a 24 month contract for two buildings

Jeffries made a motion and Lancaster seconded to refer the bids to the building and grounds committee and they will come back with a recommendation today. Arnold, Eriksen, Hartman Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

10 10:15 A.M. BID OPENING GARBAGE HAULING & DISPOSAL SERVICES – The following bids were received:

BIDDER	TOTAL BID
Heartland Disposal Grand Island, NE	\$618.50 monthly Bid bond enclosed
Mid Nebraska Disposal Grand Island, NE	\$580.50 monthly Certificate of Insurance

Arnold made a motion and Lancaster seconded to refer the bids to the building and grounds committee and they will return with a recommendation. Arnold, Eriksen, Hartman Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Chairman Eriksen called for a break for the committee to review the bids.

Building and Grounds Committee recommendation. Jeffries stated that the committee reviewed the bids and checks the numbers and they are correct. There was only one janitorial bid because the one bid was a partial bid. They recommend awarding the bid to G&D Janitorial in the amount of \$177,384.00 for a 2 year contract.

Jeffries made a motion and Arnold seconded to award the bid to J&D Janitorial. Arnold, Eriksen, Hartman Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

The committee recommends awarding the bid on the garbage hauling to the low bidder Mid Nebraska Disposal in the amount of \$580. 50 monthly.

Jeffries made a motion and Arnold seconded to award the bid to Mid Nebraska Disposal. Arnold, Eriksen, Hartman Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

2 COUNTY ATTORNEY EXECUTIVE SESSION WHITESIDE LITIGATION – Jeffries made a motion and Lancaster seconded to go into executive session regarding the Whiteside litigation. Arnold, Eriksen, Hartman Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

10:35 a.m. executive session

10:45 a.m. Rye made a motion and Lancaster seconded to go out of executive session. Arnold, Eriksen, Hartman Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

11 DISCUSS AND APPROVE DEBT SERVICE DEPOSIT AGREEMENT AS PRESENTED BY DAN SMITH KIRKPATRICK PETTIS – Lancaster stated that because of the proposed renovation of the court house it will be necessary to look for sources of revenue for the construction. There is a way to utilize the bond issue to accomplish this. It would be similar to the process that the Events Center used, local banks provided money up front to complete the project.

Dan Smith was present. He explained that once the taxes for the bond issue are collected the dollars are deposited in NAPAIT or other accounts, if these dollar were invested in US Treasury notes and a higher rate of interest was received the additional dollars could be used for funding for the renovation project. What he is proposing is to bid the investment out to providers that would be able to give a higher rate of interest and over time this could provide an additional \$240,000.00 or \$250,000.00. Once the taxes were collected they would be sent to a custodian and the dollars would be invested in US Treasury Notes or US agencies. The securities would always be in the name of Hall County and the dollars would come back to the county. Once the budget is adopted and the rates are set then they would go out for bids from investors.

Lancaster made a motion and Arnold seconded to direct Dan Smith to move forward to solicit bids for the up front interest dollars from the bond issue.

It is not the intent to subsidize the bond issue it will only provide some additional interest dollars. Arnold stated that the county can use the dollars for any project but money is needed for the remodeling project.

Deputy County Attorney Michelle Oldham stated that she did some research and talked to the State Auditor, bond counsel and with the Attorney General's office. This has not been done before in the State of Nebraska but it is legally supportable.

The board questioned if this would affect the budget and Stacey Ruzicka stated that it would not affect the budget.

Jeffries expressed concern on how the bidding process would be handled and concern if this would stop the board from using the dollars. Mr. Smith stated that the dollars from a project like this should be used for a capital project.

Vote on the motion to direct Mr. Smith to proceed to solicit bids on the bond interest dollars. Arnold, Eriksen, Hartman Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

12 MIDLAND AREA AGENCY ON AGING ANNUAL FUNDING REQUEST – Executive Director Dick Bauer was present. He thanked Bob Rye and Pamela Lancaster for serving on the board. He stated that their total request from Hall County increased by \$474.00 due to an increase in population over the age of 60. Their total request is \$24,359.00. This includes the membership fee of \$7,109.00 that represents \$.75 for each person over the age of 60 in Hall County and the continuation of the \$17,250.00 funding request. These dollars represent a host of programs and services. He noted that they recently have received refunds on the state and federal gas tax.

Lancaster made a motion and Rye seconded to approve the funding request from Midland Area Agency on Aging in the amount of \$24,359.00. Arnold, Eriksen, Hartman Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

8. DISCUSSION AND POSSIBLE ACTION REGARDING BLOCKING RAILROAD CROSSINGS IN HALL COUNTY – Hartman stated that he has received several calls regarding blocked railroad crossing and questioned if it would be possible to adopt an ordinance to stop this. Without an ordinance law enforcement cannot do anything. He would like to direct the county attorney to prepare an ordinance.

Hartman made a motion and Humiston seconded to direct Michelle Oldham to prepare a resolution regarding the blocking of rail road crossing. Discussion was held on the fact that the engineers are issued the tickets. Lancaster noted that the board should consider very carefully the requests to close crossing in the future. Ms. Oldham stated that the city has ordinances and she will check with other counties to see if they have the same situations.

The vote on the motion to address the blocking of rail road crossings was taken. Arnold, Eriksen, Hartman Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

13. DISCUSS AND TAKE ACTION ON RESOLUTION PROVIDING FOR ADDITIONAL APPROPRIATIONS FOR THE HALL COUNTY TREASURERS BUDGET FOR FISCAL YEAR 2005-2006 – County Treasurer Doris Mason was present and she had contact the audit committee regarding the shortage because of health insurance. Her department had changes on coverage and there was not enough budgeted. The audit committee reviewed this and it is a situation that could not be controlled.

Lancaster made a motion and Arnold seconded to approve Resolution #06-0045 providing for additional appropriations for the Hall County Treasurer. Arnold, Eriksen, Hartman Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Held a Board of Equalization meeting.

17 APPROVE EQUIPMENT IMPROVEMENT RESERVE AND BUILDING AND LAND IMPROVEMENT RESERVE TRANSFER REQUESTS – These transfer request were reviewed by the audit committee and they recommended to approve. Lancaster made a motion and Humiston seconded to approve the equipment improvement and building and land improvement fund transfers.

Jeffries questioned if the dollars are transferred if the department can use them when they want. These funds are to be for long range planning but they can spend the dollars in the reserve fund. Discussion was held on the building and grounds department and the fact that they did not have a director for some time so there were additional dollars left in the budget. Lancaster noted that on the transfer requests there is a place where the committee is supposed to consider and approve the request.

The vote on the motion to approve the equipment and improvement and building and grounds transfer requests was taken. Arnold, Eriksen, Humiston, Jeffries, Lancaster and Rye all voted yes and Hartman voted no. Motion carried.

18. DISCUSS AND TAKE ACTION ON CLAIM FROM BENCHMARK TITLE COMPANY This claim was held from the last meeting and Deputy County Attorney Michelle Oldham suggested that this be reviewed by our insurance company and they also recommended to deny the claim.

Lancaster made a motion and Arnold seconded to deny the claim from Benchmark Title Company. Arnold, Eriksen, Hartman Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

CLAIM FROM RICHARD HARTMAN – This claim was submitted from Cunningham Law Firm and this is identical to that claim. The first claim was denied.

Hartman stated that he paid his bill but he thinks the board should have to pay the bills that were incurred by them. Arnold stated that the board took the position to hire some one to respond to the charges. He stated that he does not have a problem to pay the cost of defense if it is incurred because of the official capacity but the board should be put on notice, they need to know ahead of time.

Lancaster made a motion and Arnold seconded to deny the claim from Richard Hartman. Arnold, Eriksen, Jeffries, Lancaster and Rye all voted yes. Hartman abstained and Humiston voted no. Motion carried.

16 COMMENCE AUDIT OF BI WEEKLY PAY CLAIMS AND ACTION ON CLAIM AUDIT Lancaster made a motion and Rye seconded to approve the bi weekly pay claims but to deny the claim from Benchmark Title Company and the Claim from Richard Hartman. Arnold, Eriksen, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Hartman abstained.

19 DISCUSSION AND ACTION ON APPOINTMENT OF SAFETY OFFICER – Eriksen stated that this item will be postponed, they need more information.

BOARD MEMBER REPORTS – Arnold – no report

Jeffries - He stated that he has attended several union negotiation meetings

Rye – he stated he attended the library board meeting.

Hartman – no report

Humiston – He stated that he attended the computer committee meetings the audit committee meeting and the economic development meeting they are discussing the GIS system.

Rye – He reported that he attended the library board meeting.

Lancaster – She reported that the County will be receiving funding to assist with the demolition of the apartment house located next to the county attorney office building and expressed her appreciation.

PUBLIC PARTICIATION – Chairman Eriksen called for public participation and no one responded.

NEW OR UNFINISHED BUSINESS – Eriksen called for new or unfinished business and no one responded.

Meeting adjourned. The next meeting will be July 11, 2006.

Marla J. Conley Hall County Clerk